

## Message Text

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21

ORIGIN L-03

INFO OCT-01 AF-06 EUR-12 ISO-00 JUSE-00 DEAE-00 SNM-02

SCA-01 CIAE-00 /025 R

DRAFTED BY L/SFP:LGFIELDS:MJR

APPROVED BY L/SFP:LGFIELDS

AF/W - T. SMITH

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P R 132350Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY DAKAR PRIORITY

INFO AMEMBASSY PARIS

C O N F I D E N T I A L STATE 036551

E.O. 11652: GDS

TAGS: PFOR, SNAR, SG

SUBJECT: UNITED STATES V. ORSINI

REF: STATE 32369

1. DEPARTMENT ADVISED THAT JUDGE BRAMWELL HAS ORDERED DEPOSITIONS TO BE TAKEN IN PARIS AND DAKAR. IN PARIS THE DEPOSITIONS WILL BE MARIE APPOLINE SERGE (THE SENEGALESE ARCHITECT REFERRED TO IN REFTEL) AND POSSIBLY MEMBERS OF THE ORSINI FAMILY (INCLUDING MRS. ORSINI).

2. IN SENEGAL THE INDIVIDUALS CITED REFTEL WILL BE DEPOSED. DEFENSE COUNSEL INDICATED THAT HE WOULD ALSO LIKE TO DEPOSE TWO GOS OFFICIALS. THESE OFFICIALS ARE: DIRECTOR OF JUDICIAL POLICE CHEIKH SADIBOU NDIAYE AND DR. J. RODIER OF THE PRINCIPAL HOSPITAL OF DAKAR. AUSA DE PETRIS INDICATED THAT THE JUDGE WAS FULLY AWARE THAT HE HAD NO POWER TO COMPEL GOS OFFICIALS TO GIVE DEPOSITIONS. THE DEPARTMENT, HOWEVER, ALWAYS TRIES TO COOPERATE FULLY WITH U.S. JUDICIARY ON THE MATTER OF REQUESTING THE COOPERATION OF FOREIGN GOVERNMENTS

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TO PROVIDE DEPOSITIONS WHEREVER POSSIBLE AND FEASIBLE IN

CONJUNCTION WITH U.S. LITIGATION. WHEN DEPARTMENT IS FURTHER ADVISED AS TO THE DATES INVOLVED, FURTHER INSTRUCTIONS WILL BE PROVIDED AND GUIDANCE GIVEN WITH RESPECT TO AN OFFICIAL APPROACH TO GOS ON THIS MATTER.

3. DEFENSE COUNSEL SUGGESTED THAT HE WOULD LIKE TO DEPOSE DCM DAVIS AND POSSIBLY OTHER MEMBERS OF THE EMBASSY STAFF WHO WERE IN DAKAR DURING THE ORSINI AFFAIR AND MIGHT HAVE KNOWLEDGE OF THE INCIDENT. AUSA DE PETRIS MIGHT ALSO WISH TO TAKE REBUTTAL DEPOSITIONS OF EMBASSY OFFICIALS REGARDING ANY TESTIMONY OBTAINED THROUGH DEPOSITIONS FROM THOSE CALLED BY THE DEFENSE.

4. IT IS EXPECTED THAT PARTICULARS OF THIS MATTER WILL BE AVAILABLE TUESDAY, FEBRUARY 17 AND THEY WILL BE CABLED IMMEDIATELY TO THE EMBASSY UPON RECEIPT. SHOULD DCM OR OTHER MEMBERS OF THE EMBASSY STAFF WISH TO CONTACT ASSISTANT LEGAL ADVISER FIELDS OVER THE HOLIDAY WEEKEND, HE CAN BE REACHED AT HIS ARLINGTON, VIRGINIA RESIDENCE (A.C.703-527-2178). KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRIALS, JUDGES, ATTORNEYS, INTERGOVERNMENTAL COOPERATION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 13 FEB 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** coburnhl  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE036551  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** LGFIELDS:MJR  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Original Previous Classification:** n/a  
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**Page Count:** 2  
**Previous Channel Indicators:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 32369  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** coburnhl  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 20 APR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <20 APR 2004 by greeneet>; APPROVED <11 AUG 2004 by coburnhl>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** UNITED STATES V. ORSINI  
**TAGS:** PFOR, SNAR, SG, (SERGE, MARIE APPOLINE), (ORSINI, DOMINIQUE)  
**To:** DAKAR  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006